

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

MARCOS MORALES,
Petitioner,

CASE NO. 2:07-cv-1274
JUDGE GRAHAM
MAGISTRATE JUDGE KING

v.

WARDEN, NOBLE CORRECTIONAL
INSTITUTION,

Respondent.

OPINION AND ORDER

On September 22, 2008, the Magistrate Judge issued a *Report and Recommendation* recommending that the instant petition for a writ of habeas corpus pursuant to 28 U.S.C. §2254 be dismissed as barred by the one-year statute of limitations under 28 U.S.C. §2244(d). Although the parties were advised of the right to object to the Magistrate Judge's *Report and Recommendation*, and of the consequences of failing to do so, no objections have been filed.

The *Report and Recommendation* is **ADOPTED** and **AFFIRMED**. This action is hereby **DISMISSED**.

IT IS SO ORDERED.

Date: October 9, 2008

S/James L. Graham
JAMES L. GRAHAM
United States District Judge